

or shall pay to him the full value thereof, and be sentenced to the penitentiary for not less than three nor more than ten years.

Person convicted of two robberies under separate indictments and sentenced to concurrent terms was within court's discretion and not cruel and unusual punishment. *Rahe v. State*, 175 Md. 691.

As to indictments for robbery, see sec. 655.

1927, ch. 457.

**558.** Every person convicted of the crime of robbery or attempt to rob with a dangerous or deadly weapon or accessory thereto, shall restore to the owner thereof the thing robbed or taken, or shall pay him the full value thereof, and be sentenced to imprisonment in the Maryland Penitentiary for not more than twenty years.

### **Rogues and Vagabonds.**

An. Code, 1924, sec. 482. 1912, sec. 435. 1904, sec. 383. 1888, sec. 246. 1809, ch. 138, sec. 7. 1878, ch. 467.

**559.** If any person shall be apprehended having upon him any pick-lock, key, crow, jack, bit, or other implement, at places and under circumstances from which an intent may be presumed feloniously to break and enter into any dwelling-house, warehouse, storehouse, stable or outhouse, or shall have upon him any pistol, hanger, cutlass, bludgeon, or other offensive weapon, also at places and under circumstances from which may be presumed an intent feloniously to assault any person, or shall be found in or upon any dwelling-house, warehouse, storehouse, stable or outhouse, or in any enclosed yard or garden or area belonging to any house, with an intent to steal any goods or chattels, every such person shall be deemed a rogue and vagabond, and on being convicted thereof shall be sentenced to the penitentiary for not less than one month nor more than two years, or to imprisonment in jail, at the discretion of the court, for a like term.

The failure of indictment, which was substantially in language of the statute, to state which of four defendants, jointly indicted, possessed the implements and weapons, was immaterial. *Kay v. State*, 167 Md. 218.

As to vagrants and tramps, see sec. 615, *et seq.*

### **Sabbath Breaking.**

An. Code, 1924, sec. 483. 1912, sec. 436. 1904, sec. 384. 1888, sec. 247. 1723, ch. 16, sec. 10.

**560.<sup>1</sup>** No person whatsoever shall work or do any bodily labor on the Lord's day, commonly called Sunday; and no person having children or

<sup>1</sup> Secs. 560 and 576 repealed by ch. 287 of the acts of 1931, in so far as they prohibit amusements, entertainments or games and the sale at retail of merchandise in Baltimore City on Sunday.

Secs. 560 and 576 repealed by ch. 470 of the acts of 1933, in so far as they prohibit amusements, entertainments or games after 2 P. M. on Sunday in incorporated towns of Prince George's County which pass and approve, on referendum vote, an ordinance to that effect.

Secs. 560 and 576 repealed by ch. 534 of the acts of 1933, in so far as they prohibit the exhibition of motion pictures on Sunday in Baltimore County.

Secs. 560 and 576 repealed by ch. 125 of the act of 1936 (Sp. Sess.), in so far as they prohibit the exhibition of motion pictures on Sunday in Howard County, subject to referendum.

Secs. 560 and 576 repealed by ch. 3 of acts of 1937 in so far as they prohibit the exhibition of motion pictures on Sunday in the town of Oakland.

Secs. 560 and 576 repealed by ch. 117 of the acts of 1937 in so far as they prohibit the exhibition of motion pictures on Sunday in Fifth Election District of Anne Arundel County, subject to referendum.

Chs. 51 and 84, Acts of 1939, relating to certain athletic games and the exhibition of motion pictures on Sunday in Wicomico County were submitted to the voters of the county at the Special Congressional Election in 1939 and rejected.